
TITLE 327 WATER POLLUTION CONTROL DIVISION

NOTICE OF READOPTION
IC 13-14-9.5 FIRST NOTICE OF COMMENT PERIOD
LSA Document #18-171

READOPTON OF RULES IN TITLE 327 UNDER IC 13-14-9.5**PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on the readoption of rules in Title 327 of the Indiana Administrative Code under IC 13-14-9.5.

RULES TO BE READOPTED:

327 IAC 8-1	Public Water Supply Direct Additive and Indirect Additive Standards
327 IAC 8-3.1	Permitting Authority of Units for Water Main Extension Construction
327 IAC 8-4	Approval of Public Water Supply Plans
327 IAC 8-6	Improvements of Public Water Supply Systems or Treatment Works Under Order of the DEM
327 IAC 8-11	Water Purification and Treatment Works; Operation; Requirements
327 IAC 12.1-1	Purpose and Applicability
327 IAC 12.1-2-1	Definitions
327 IAC 12.1-2-2	"Available to the public" defined
327 IAC 12.1-2-4	"Claim of confidentiality" or "claim" defined
327 IAC 12.1-2-5	"Commissioner" defined
327 IAC 12.1-2-6	"Contaminant" defined
327 IAC 12.1-2-7	"Contractor" defined
327 IAC 12.1-2-8	"Department" defined
327 IAC 12.1-2-9	"Effluent data" defined
327 IAC 12.1-2-10	"Information" defined
327 IAC 12.1-2-11	"Person" defined
327 IAC 12.1-2-12	"Pollutant" defined
327 IAC 12.1-2-13	"Public record" defined
327 IAC 12.1-2-14	"Standard or limitation" defined
327 IAC 12.1-2-15	"Trade secret" defined
327 IAC 12.1-3	Access to Public Records
327 IAC 12.1-4	Confidentiality Claims
327 IAC 12.1-5	Types of Confidential Information
327 IAC 12.1-6	Determinations on Claim of Confidentiality
327 IAC 12.1-7	Appeals
327 IAC 12.1-8	Authorized Disclosure of Confidential Information
327 IAC 12.1-9	Wrongful Disclosure Penalties
327 IAC 12.1-10	Confidentiality Agreements
327 IAC 19	CONFINED FEEDING OPERATIONS

RULES TO EXPIRE: None.

AUTHORITY: IC 13-14-9.5.

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

This rulemaking is required under IC 13-14-9.5, which provides for the expiration and readoption of administrative rules. All rules adopted after January 1, 2002, under IC 13-14-9, expire on January 1 of the seventh year after the year in which each rule takes effect. The rules listed to be readopted have an expiration date of January 1, 2019. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

Under IC 13-14-9.5-4, the department or board that has rulemaking authority under Title 13 may readopt all rules subject to expiration under one rule that lists all rules that are readopted by their titles and subtitles only. If no comments are received during the first comment period, IDEM may submit the rule for filing with the Publisher under IC 4-22-2-35 and publish notice in the Indiana Register that the agency has readopted the rule.

STATUTORY AND REGULATORY REQUIREMENTS

[IC 13-14-9.5-4](#) requires that the following procedure be followed to readopt rules:

- (1) A notice listing all rules to be readopted by their titles and subtitles shall be submitted to the Publisher for publication in the Indiana Register.
- (2) If a person submits a written request and a basis for the request during the first comment period that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking, the agency must:
 - (A) consider readoption of that rule separately from the readoption rule; and
 - (B) follow the procedure for adoption of administrative rules under [IC 13-14-9](#) with respect to that rule.
- (3) If no written request is provided within the first comment period, the agency may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish a notice in the Indiana Register that the agency has readopted the rule.

REQUEST FOR PUBLIC COMMENTS

IDEM requests that any written comments requesting that a rule be readopted separately from this readoption rule include a basis for the request. Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:

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MaryAnn Stevens
Rules Development Branch
Office of Legal Counsel
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251

- (2) By facsimile to (317) 233-5970. Please confirm the timely receipt of faxed comments by calling the Rules Development Branch at (317) 232-8922.

- (3) By electronic mail to mstevens@idem.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the email address indicated in this notice.**

- (4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, in order to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

COMMENT PERIOD DEADLINE

Comments must be postmarked, faxed, or time stamped not later than May 11, 2018. Hand-delivered comments must be delivered to the office by 4:45 p.m. on the above-listed deadline date.

Additional information regarding this action may be obtained from MaryAnn Stevens, Rules Development Branch, Office of Legal Counsel, (317) 232-8635 or (800) 451-6027 (in Indiana).

Christine Pedersen, Section Chief
Rules Development Branch
Office of Legal Counsel

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